

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Kalvin Dontay Hunt,)	
)	C/A No. 8:18-2241-TMC
Plaintiff,)	
)	
v.)	ORDER
)	
The State of South Carolina, South)	
Carolina Department of Mental)	
Health, Columbia Regional Correct)	
Care, Dr. Andrew Hedgepath,)	
Meagan Hill,)	
)	
Defendants.)	
_____)	

Plaintiff Calvin Dontay Hunt, a prisoner proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983. (ECF No. 1). On September 18, 2018, the magistrate judge recommended that the Complaint be dismissed without prejudice and without issuance and service of process only as to Defendants the State of South Carolina, the South Carolina Department of Mental Health, and Columbia Regional Correct Care. (ECF No. 13). Plaintiff was advised of his right to file objections to the Report. (ECF No. 13 at 8). However, Plaintiff has not filed any objections to the Report, and the time for doing so has expired.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to

accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Furthermore, failure to file specific written objections to the Report results in a party’s waiver of the right to appeal the district court’s judgment based upon that recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).

After a thorough review of the Report and the record in this case, the court adopts the Magistrate Judge’s Report (ECF No. 13) and incorporates it herein. Accordingly, the complaint be dismissed without prejudice and without issuance and service of process as to Defendants the State of South Carolina, the South Carolina Department of Mental Health, and Columbia Regional Correct Care.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

Anderson, South Carolina
January 31, 2019